

REMARKS

This is a response to a Non-Final Office Action mailed on November 22, 2005. Claims 1-10, 12, 24, and 33-35 are currently pending. Claims 1-10, 24, and 33-35 are rejected. Claim 12 is allowed. Applicants have amended Claims 1, 24, 33, and 35 in response to the Office Action. No new matter is added by way of this amendment. For at least the reasons discussed below, Applicants respectfully submit that each of the presently pending claims is in condition for allowance.

Allowed Claim

Applicants acknowledge the allowance of Claim 12. The Office Action indicates that Claim 12 is novel and non-obvious because of the element "if the at least one of the plurality of origin servers is brought back on-line, causing the cache server to automatically expire a time field for all entries of each file associated with the updated second content." However, Applicants submit that the other elements of Claim 12 also make Claim 12 novel and non-obvious over the cited references.

Rejection of Claims Under 35 U.S.C. §103(a)

Claims 1-10, 24, and 33-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Burns et al. (U.S. Patent No. 5,991,306, hereinafter "Burns") and in view of Estrada et al. (U.S. Patent No. 6,594,664, hereinafter "Estrada"). Applicants respectfully traverse these rejections for the following reasons.

The Office Action admits that Burns alone does not disclose all the elements of Claim 1. However, the Office Action attempts to combine Burns with Estrada to then render at least Claim 1 obvious. The Applicants respectfully submit, however, that the combination of Burns in view of Estrada does not disclose all the elements of amended Claim 1.

In particular, Estrada does not teach or suggest "receiving a second version of a file from a global server" and "updating a content item on each origin server that is taken offline with at least

a portion of the second version of the file,” as recited in amended Claim 1. In contrast, Estrada discloses that a client (QuickPlace 137) receives a duplicate file to be edited from the cache server (e.g. domino server 132 and/or database 230) while the client is online, and not from a global server. Estrada, col. 14, lines 28-35. Estrada further discloses that during an offline updating, the mini-server (which resides on the QuickPlace 137) enables a user to modify the duplicate file based on “user input,” and not on a second version of a file that is received from a global server as required by amended claim 1. Estrada, col. 6, lines 22-26 (emphasis added). Thus, Estrada does not teach “updating a content item on each origin server that is taken offline with at least a portion of the second version of the file” that is received from the global server. Therefore, for at least this reason, Burns in view of Estrada does not make obvious amended Claim 1.

Furthermore, there is no motivation to combine Burns and Estrada. In particular, a combination of the cited reference would make Burns inoperable. See MPEP § 2143.01 (V) (“the proposed modification cannot render the prior art unsatisfactory for its intended purpose”). Burns clearly teaches content servers that are enabled to respond to requests, and updating a cache server over time. Burns column 9, lines 35-37 (“[a]t the scheduled time, a media loader 122 sends a request to the content server on the Internet and receives the content from the content server”). However, Estrada’s client browser that is brought back online does not operate in the same manner as Burns’ content server. The client browser does not send content based on a request. At most, the client browser “publishes a draft page” when it comes back online, but does not continue over time to “publish” the draft page thereafter. Estrada, col. 23, lines 45-46 (“When finished, the user client publishes the draft page, which then replaces the original copy”). Thus, Estrada’s client browser does not operate as Burns’ content server. Because the client browser configuration in Estrada is so different from the content server of Burns’, the combination of Burns and Estrada would disable critical elements of Burns. Therefore, because the combination would make Burns inoperable, there is no motivation to combine Burns with Estrada. Thus, for at least this reason, Burns in view of Estrada does not make obvious Claim 1.

Moreover, independent Claims 24, 33, and 35 are amended herein, to recite the elements that are similar to, albeit different from, the elements recited in allowed Claim 12. The added

elements include the points of novelty identified by the Examiner in allowing Claim 12. For example, amended Claim 24 further recites means for automatically expiring a time field for entries of each file associated with the updated content on the cache server. Amended Claim 33 further recites automatically expiring a time field for the file on the cache server. Similarly amended Claim 35 further recites automatically expiring a time field associated with a file on the cache server corresponding to the updated file on the origin server. Thus, amended independent Claims 24, 33, and 35 are allowable for at least substantially the same reasons as allowed Claim 12.

In addition, Claims 2-10 and 34 depend from Claims 1 and 33, respectively. Therefore, for at least the same reasons as their respective independent claims, each of the dependent claims is also allowable. Thus, Applicants respectfully submit that Claims 1-10, 24, and 33-35 are now in condition for allowance, and should be allowed to issue.

CONCLUSION

It is respectfully submitted that each of the presently pending claims are in condition for allowance and notification to that effect is requested. Examiner is invited to contact the Applicants' representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby. Although only certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentable. Applicant reserves the right to raise these arguments in the future.

Dated: March 22, 2006

Respectfully submitted,

By


Jamie L. Wiegand

Registration No.: 52, 361

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(206) 262-8900 (212) 527-7701 (Fax)

Attorneys/Agents For Applicant